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To: USPTO
Art Unit 1761
Exr. Kelly J. Mahaffey
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Date: 05/12/06

From: Werner H. Schroeder
Patent Agent
Reg. No. 36,387

Number of pages including cover sheet: 15

Comments: Application No. 10/667, 809

Antedating Reference to Zonca

Werner H. Schroeder
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Total Number of Pages in This Submission

15

10/867,800

08/22/203

Thomas F. Adams

1761

Kathy J. Mahafkey

	Application Number	10/867,800
Filing Date	08/22/203	
First Named Inventor	Thomas F. Adams	
Art Unit	1761	
Examiner Name	Kathy J. Mahafkey	
Total Number of Pages in This Submission	15	
Attorney Docket Number		

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Response to second Office Action Antedating the basic reference		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Warren H. Schroeder		
Date	05/12/2006	Reg. No.	36,387

CERTIFICATE OF TRANSMISSION/MAILING

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Warren H. Schroeder

Date

05/12/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Response to a second non-final Office Action

Application No. 10/667,809

This communication is a response to a second Office Action non-final rejection having a mailing date of 02/16/2006 and setting forth a shortened statutory period for response of three months which would expire on 05/16/2006.

The applicant has studied the examiner's action carefully and has come to the conclusion that the examiner's action should be controverted.

Claims 12 and 13 are rejected under 35 U.S.C 102 (e) as being anticipated by Zonca (US 6,637,721).

Claims 14 and 15 are rejected under 35 U.S.C 103(a) as being unpatentable over Zonca in view of Lalonda (US 4,222, 547).

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zonca in view of Lalonde and further in view of Copeman.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zonca and further in view of Asenbauer.

Claims 18 and 19 are rejected under as being unpatentable over Fan and further in view of Zonca.

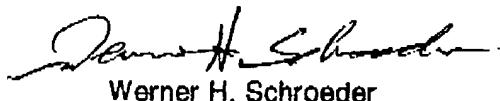
Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan in view of Zonca and further in view of Lalonde.

Applicant hereby traverses the above identified rejections under 37 CFR 1.132 on the ground of antedating the Zonca reference. Zonca may show the claimed invention but does not claim it. The applicant was the first inventor to thereby antedate the reference to Zonca as will be shown by the attached documents. The earliest date of conception by applicant is April 02/1998. The attached documents of 12 pages shows the chronology of events to show true diligence to further the claimed invention to practice, that is, the filing of the application.

If any further detailed dates and activities are required, the applicant can furnish

those detailed documents when requested.

The details would involve, among other things, inquiries to prospective mold manufacturers, their quotes and their dates.



Werner H. Schroeder

Reg. No. 36,387

Date: 05/12/2006